IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1011 OF 2006
IN
APPEAL NO.134 OF 2006
IN
CHAMBER SUMMONS NO.1684 OF 2001
IN
SUIT NO.611 OF 2001

M/s.Carona Limited .. Appellant.
V/s.
Burjor Sorabjee Sidhwa .. Respondent.

Mr.B.N. Vaishnawa i/b. M/s.Bharat Vaishnawa & Co. for the appellant.

Mr.Girish Desai i/b. Rajesh Shah for the respondent.

CORAM : R.M. LODHA &
J.P. DEVADHAR, JJ.

DATED : 28TH MARCH, 2006.

P.C. :

By this notice of motion taken out by the applicant it is prayed that the time be extended for depositing the remaining amount with the Office of the Court Receiver, High Court, Bombay pursuant to the order passed by this Court on 8th March, 2006.

2. The learned counsel for the applicant submits that a sum of Rs.2,50,000/- pursuant to the order dated 8th March, 2006 has already been deposited with the Court Receiver. Though in the application it is prayed that time for depositing the remaining amount of Rs.2,50,000/- be extended, Mr.Girish Desai, the learned counsel for the respondent submits that due amount of royalty as per

the order shall be more.

3. Confronted with this difficulty, the learned counsel for the applicant submits that whatever the amount required to be deposited by the appellant pursuant to the order dated 8th March, 2006 passed by the Division Bench and the order of the learned Motion Judge dated 20th December, 2005, the entire amount shall be deposited with the Court Receiver by 25th April, 2006.

4. Mr.Girish Desai, the learned counsel for the respondents has left the matter to the Court for extension of time.

5. We are satisfied that in the interest of justice, the applicant - appellant may be permitted to deposit the entire amount of royalty as per the order dated 8th March, 2006 passed by the Division Bench and the order of the learned Motion Judge dated 20th December, 2005 by 25th April, 2006.

6. We, order accordingly.

7. The notice of motion stands disposed of.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)